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**THE ROLE OF PARLIAMENTS IN THE ESTABLISHMENT AND FUNCTIONING OF
MECHANISMS TO PROVIDE FOR THE JUDGEMENT AND SENTENCING OF
WAR CRIMES, CRIMES AGAINST HUMANITY, GENOCIDE AND
TERRORISM, WITH A VIEW TO AVOIDING IMPUNITY**

***Amendments to the revised draft resolution submitted within the statutory deadline
by the delegations of Algeria, Belgium, Canada, China, Cuba, Egypt, Gabon, Germany,
India, Indonesia, Italy, Japan, Kuwait, Mexico, Norway, Romania,
Philippines, Sweden, Switzerland and the United Kingdom***

Title

Amend the title to read as follows:

THE ROLE OF PARLIAMENTS IN THE ESTABLISHMENT AND FUNCTIONING OF
MECHANISMS TO PROVIDE FOR THE JUDGEMENT AND SENTENCING OF WAR
CRIMES, CRIMES AGAINST HUMANITY **AND** GENOCIDE, ~~AND TERRORISM~~, WITH A
VIEW TO AVOIDING IMPUNITY

(Norway)

PREAMBLE

Paragraph 1

Amend to read as follows:

(1) *Deeply concerned* by the fact that in today's world, many regions and whole societies are brutally affected by war crimes, crimes against humanity, genocide and terrorism, all of which are ~~serious~~ **serious crimes under international law** ~~of concern to the international community as a whole,~~

(Belgium)

(1) ~~Deeply concerned by the fact that in today's world, many regions and whole societies are brutally affected~~ **by the persistence of** war crimes, crimes against humanity, genocide **and** terrorism, all of which are serious crimes of concern to the international community as a whole,

(Cuba)

(1) *Deeply concerned* by the fact that in today's world, many regions and whole societies are brutally affected by war crimes, crimes against humanity and genocide ~~and terrorism~~, all of which are serious crimes of concern to the international community as a whole,

(Norway)

(1) *Deeply concerned* by the fact that in today's world, many regions and whole societies are brutally affected by war crimes, crimes against humanity, genocide **and/or** terrorism, all of which are serious crimes of concern to the international community as a whole,

(Sweden)

Paragraph 2

Amend to read as follows:

(2) *Convinced* that there is no justifiable cause for those abhorrent crimes, **nor any explanation**,

(Algeria)

Paragraph 2bis

Add a new paragraph after preambular paragraph (2), to read as follows:

***Considering* that the prevention and punishment of war crimes, crimes against humanity, genocide and terrorism require an efficient and effective multilateral international system focused on the United Nations and inspired by the universal principles of democracy and the rule of law, and having efficient decision-making and implementation mechanisms,**

(Italy)

***Convinced* that terrorism as an international phenomenon is not related or connected to any specific religion, race or culture,**

(Kuwait)

Paragraph 3

Amend to read as follows:

(3) *Considering* that, in keeping with the principles enshrined in the United Nations Charter, international human rights law, international humanitarian law and international criminal law instruments have been developed, and that it is of paramount importance to ensure that their provisions be enforced, **in conformity with the international obligations assumed by States**,

(Cuba)

(3) *Considering* that, in keeping with the principles enshrined in the United Nations Charter, international human rights law, international humanitarian law and international criminal law, **appropriate** instruments have been developed, and that it is of paramount importance to ensure that their provisions be enforced,

(United Kingdom)

Paragraph 3bis

Add a new paragraph after preambular paragraph (3), to read as follows:

Confirming that eliminating terrorism is the responsibility of the whole international community, and starts and ends by eliminating the root causes of such atrocious acts,

(Kuwait)

Paragraph 4

Amend to read as follows:

(4) *Recalling* in this respect the particular importance of ensuring respect for the rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Geneva Conventions for the protection of victims of war of 12 August 1949 and their Additional Protocols, the Convention on the Prevention and Punishment of the Crime of Genocide and other instruments, treaties and agreements ensuring respect for human dignity, as well as the human rights norms of customary international law as reflected by state practice **and general principles of law recognised by the community of nations,**

(Belgium)

Paragraph 5

Delete the paragraph:

~~(5) *Considering that under international law, no statutory limitation shall apply to war crimes, crimes against humanity, genocide and terrorism, and such crimes shall not be subject to amnesty, clemency or pardon, and that this has been confirmed by the judgements of national and international courts,*~~

(China, Algeria)

Paragraph 5

Amend to read as follows:

(5) *Considering* that under international law, no statutory limitation shall apply to war crimes, crimes against humanity, genocide and terrorism **which involves killings, rape, massacres and bombings in public places or in places where the public gathers,** and such crimes shall not be subject to amnesty, clemency or pardon, and that this has been confirmed by the judgements of national and international courts,

(Algeria)

(5) *Considering* that under international law, no statutory limitation shall apply to war crimes, crimes against humanity **and genocide** ~~and terrorism~~, and such crimes shall not be subject to amnesty, clemency or pardon, and that this has been confirmed by the judgements of national and international courts,

(Norway, Algeria)

Paragraph 6

Amend to read as follows:

(6) *Recalling* the resolutions on peace, security and disarmament adopted by the IPU since 1994, **particularly since 1990,**

(Belgium)

Paragraph 6bis

Add a new paragraph after preambular paragraph (6), to read as follows:

Considering that the Rome Statute of the International Criminal Court (ICC) marks a fundamental step forward in the search for a legal definition of "crimes against humanity", and considering notably that for the purposes of the Statute, "crime against humanity" means any act "committed as part of a widespread or systematic attack directed against any civilian population" (Article 7 paragraph 1) including the murder of innocent people, breaching the general principles of law recognised by all civilised nations (see Article 21, paragraph 1(c), of the Statute, according to which human life must be universally safeguarded,

(Italy)

Paragraph 7

Amend to read as follows:

(7) ~~*Stressing the importance*~~ ***Noting the role*** of the International Criminal Court (ICC) **as a mechanism to prevent** ~~*in preventing and punishing*~~ war crimes, genocide, **aggression** and crimes against humanity, and *recalling* in this respect that States party to the Rome Statute of the ICC have a duty to prosecute such crimes themselves or to refer persons suspected of such crimes to the jurisdiction of the ICC, and also that international humanitarian law, as enshrined in the Geneva Conventions for the protection of victims of war of 12 August 1949 and their Additional Protocols, places the obligation on States to search for and try persons alleged to have committed, or have ordered to be committed, grave breaches, regardless of the persons' nationality or where the violations take place,

(Cuba)

(7) *Stressing the importance of the International Criminal Court (ICC) in preventing and punishing war crimes, genocide and crimes against humanity, and recalling in this respect that States party to the Rome Statute of the ICC have a duty to prosecute such crimes themselves or to refer persons suspected of such crimes to the jurisdiction of the ICC, and also that international humanitarian law, as enshrined in the Geneva Conventions for the protection of victims of war of 12 August 1949 and their Additional Protocols, places the obligation on States to search for and try persons alleged to have committed, or have ordered to be committed, grave breaches, regardless of the persons' nationality or where the violations take place,*

(Indonesia)

(7) *Stressing the importance of the International Criminal Court (ICC) in preventing and punishing war crimes, genocide and crimes against humanity, and recalling in this respect that States party to the Rome Statute of the ICC have a the main duty to prosecute*

such crimes themselves, or **where this is not possible, based on the principle of complementarity**, to refer persons suspected of such crimes to the jurisdiction of the ICC, and also that international humanitarian law, as enshrined in the Geneva Conventions for the protection of victims of war of 12 August 1949 and their Additional Protocols, places the obligation on States to search for and try persons alleged to have committed, or have ordered to be committed, grave breaches, regardless of the persons' nationality or where the violations take place,

(Mexico)

Paragraph 7bis

Add a new paragraph after preambular paragraph (7), to read as follows:

Recognising the great significance of the fact that sexual offences perpetrated against women are clearly listed as crimes against humanity and war crimes in the Rome Statute of the ICC,

(Japan)

Underlining that the provisions on gender crimes contained in the definitional sections of the Rome Statute are a historic development under international law, and stressing that if ratified and duly codified in national law, the Statute would strengthen the overall ability of States to address crimes directed at or disproportionately affecting women,

(Romania)

Paragraph 8

Amend to read as follows:

(8) *Recognising* that the jurisdiction of the ICC is limited to ~~offences~~ **crimes** committed on or after 1 July 2002 and that there is a need for mechanisms to address war crimes, crimes against humanity and genocide committed before that date,

(Germany)

Paragraph 9

Amend to read as follows:

(9) *Considering* the ~~agreements concluded by the States Parties to the Rome Statute,~~ **which requires States Parties to cooperate** with the ICC in order to combat war crimes, crimes against humanity and genocide, as well as the 12 international conventions and protocols relating to terrorism,

(Belgium)

(9) *Considering* the ~~Agreements concluded by the States Parties to the Rome Statute with the ICC in order to combat war crimes, crimes against humanity and genocide, as well as the 12 international conventions and protocols relating to terrorism~~ **on Privileges and Immunities of the International Criminal Court, an instrument that provides privileges and immunities to officials and personnel of the ICC and to officials of States Parties which are necessary for the independent and effective fulfilment of the functions of the ICC,**

(Canada)

(9) *Considering* the agreements concluded by the States Parties to the Rome Statute with the ICC in order to combat war crimes, crimes against humanity and genocide, ~~as well as the 12 international conventions and protocols relating to terrorism,~~

(Indonesia)

(9) *Considering* the agreements concluded by the States Parties to the Rome Statute with the ICC in order to combat war crimes, crimes against humanity and genocide, ~~as well as the 12 international conventions and protocols relating to terrorism,~~

(Norway)

Paragraph 9 bis

Add a new paragraph after preambular paragraph (9), to read as follows:

***Considering* the 12 international conventions and protocols relating to terrorism,**

(Canada)

Paragraph 10

Delete the paragraph:

~~(10) *Concerned* at the lack of dynamics in implementing the necessary mechanisms to support the Rome Statute of the ICC and to support the provisions adopted by the United Nations and other bodies to combat these crimes,~~

(Belgium)

Paragraph 10

Amend to read as follows:

(10) *Concerned* at the ~~lack of dynamics in implementing the necessary mechanisms to support the Rome Statute of the ICC and to support the provisions adopted by the United Nations and other bodies to combat these crimes~~ **slow pace of implementation of the Rome Statute of the ICC,**

(Canada)

(10) *Concerned* at the ~~lack of dynamics in implementing the necessary mechanisms to support the Rome Statute of the ICC and~~ **Recognising the importance of** supporting the provisions adopted by the United Nations and other bodies to combat these crimes,

(Cuba)

(10) *Concerned* at the lack of dynamics ~~in implementing the necessary mechanisms to support the Rome Statute of the ICC and~~ to support the provisions adopted by the United Nations and other **relevant** bodies to combat these crimes,

(India)

(10) *Concerned* at the lack of dynamics in implementing the necessary mechanisms to support the Rome Statute of the ICC and to support the provisions adopted by the United Nations and other bodies to combat ~~these crimes~~ **war crimes, crimes against humanity and genocide,**

(Indonesia)

(10) *Concerned* at the lack of ~~dynamics~~ **progress** in implementing the necessary mechanisms to support the Rome Statute of the ICC and to support the provisions adopted by the United Nations and other bodies to combat these crimes,

(United Kingdom)

Paragraph 10bis

Add a new paragraph after preambular paragraph (10), to read as follows:

Recognising that placing importance on justice and the rule of law is an essential element in promoting human security and furthering economic and social development, and in this context that assistance from the international community for the building of legal systems in post-conflict periods is critically important, as it contributes to the establishment of the rule of law and the prevention of future conflict, as well as to the creation of a base upon which to promote nation-building and development,

(Japan)

Paragraph 11

Delete the paragraph:

~~(11) *Recognising that political will to speak out against racism, xenophobia and intolerance is an essential element in ending impunity,*~~

(United Kingdom)

Paragraph 12

Amend to read as follows:

(12) *Concerned* at the fact that the implementation of agreements on the prosecution of war crimes, crimes against humanity, genocide and terrorism has been delayed, set aside, or omitted by **some** States, thus subjecting these agreements to different interpretations and reducing their effectiveness, *alarmed* at the possibility that this may **signal** ~~be considered as~~ a permissive attitude towards impunity and *concerned* at the fact that many States have not yet ~~signed or~~ **ratified or acceded** to the Rome Statute,

(Canada)

(12) *Concerned* at the fact that the implementation of agreements on the prosecution of war crimes, crimes against humanity, genocide and terrorism has been delayed, set aside, or omitted by **some** States, thus subjecting these agreements to different interpretations and reducing their effectiveness, *alarmed* at the possibility that this may be considered as a permissive attitude towards impunity and *concerned* at the fact that many States have not yet signed or ratified the Rome Statute,

(Cuba)

(12) *Concerned* at the fact that the implementation of agreements on the prosecution of war crimes, crimes against humanity **and** genocide ~~and terrorism~~ has been delayed, set aside, or omitted by States, thus subjecting these agreements to different interpretations and reducing their effectiveness, *alarmed* at the possibility that this may be

considered as a permissive attitude towards impunity and *concerned* at the fact that many States have not yet signed or ratified the Rome Statute,

(Norway)

(12) *Concerned* at the fact that the implementation of agreements on the prosecution of war crimes, crimes against humanity, genocide and terrorism has been delayed, set aside, or ~~omitted neglected~~ by States, thus subjecting these agreements to different interpretations and reducing their effectiveness, ~~alarmed at the possibility that this may be considered as a permissive attitude towards impunity and concerned at the fact that many States have not yet signed or ratified the Rome Statute,~~

(United Kingdom)

Paragraph 12bis

Add a new paragraph after preambular paragraph (12), to read as follows:

Alarmed at the possibility that this may be considered as an attitude that is permissive towards impunity, and concerned at the fact that many States have not yet signed or ratified the Rome Statute,

(United Kingdom)

Paragraph 13

Amend to read as follows:

(13) *Convinced* that parliaments have a primary responsibility, and must, **by enacting necessary legislation**, play a central role, in the prevention, punishment and avoidance of impunity for war crimes, crimes against humanity, genocide and terrorism, ~~and that a multilateral approach among parliaments is an appropriate way to implement the mechanisms required for the enforcement of judgements and penalties for these abhorrent crimes,~~

(India)

(13) *Convinced* that parliaments, **in cooperation with the incumbent national governments**, have a primary responsibility, and must play a central role, in the prevention, punishment and avoidance of impunity for war crimes, crimes against humanity, genocide and terrorism, ~~and that a multilateral approach among parliaments is an appropriate way to implement the mechanisms required for the enforcement of judgements and penalties for these abhorrent crimes,~~

(Indonesia)

(13) *Convinced* that parliaments have a primary responsibility, and must play a central role, in the prevention, punishment and avoidance of impunity for war crimes, crimes against humanity **and genocide and terrorism**, and that a multilateral approach among parliaments is an appropriate way to implement the mechanisms required for the enforcement of judgements and penalties for these abhorrent crimes,

(Norway)

Paragraph 14

Amend to read as follows:

(14) *Recalling* that each State has the obligation and the duty to prosecute the perpetrators of war crimes, crimes against humanity and ~~crimes of genocide~~, **irrespective of the location of the crime or the nationality of the perpetrator or the victim**,
(Belgium)

(14) *Recalling* that **under the provisions of international law**, each State ~~has the obligation and the duty to shall~~ prosecute the perpetrators of war crimes, crimes against humanity and crimes of genocide,
(China)

(14) *Recalling* that each State has the obligation and the duty to prosecute **or extradite** the perpetrators of war crimes, crimes against humanity, ~~and~~ crimes of genocide **and terrorist crimes**,
(India)

(14) *Recalling* that each State has the obligation and the duty to prosecute the perpetrators of war crimes, crimes against humanity and crimes of genocide, **since a lack of sanctions for these types of grave offences allows the commission of new atrocities and also worsens domestic and international armed conflicts**,
(Mexico)

Paragraph 15

Amend to read as follows:

(15) *Recalling* that victims of war crimes, crimes against humanity and genocide have the **inalienable** right to truth, justice and reparation,
(Belgium)

(15) *Recalling* that victims of war crimes, crimes against humanity, ~~and~~ genocide **and terrorism** have the right to truth, justice and reparation,
(India)

Add new paragraphs, to read as follows:

***Aware* of the need for the political will and good faith of States and peoples of the international community to stop the proliferation of war crimes, crimes against humanity, genocide and terrorism and to eliminate their causes,**

***Underscoring* the gravity of the proliferation of wars and ethnic, tribal and religious conflicts, and of the spread of the phenomenon of military coups d'état that overthrow established regimes, which threaten the security, stability and development processes of the countries concerned, in addition to involving crimes of ethnic cleansing, genocide and crimes against humanity and taking the lives of hundreds of thousands of innocent victims,**

Considering that the hastened march towards economic, political, social and cultural globalisation, and its negative consequences that affect mainly the developing countries, where there is worsening poverty, spreading hunger, inflation, recession, the debt crisis, the spread of illiteracy, ignorance and cultural invasion and the dismantling of basic services such as education, health, public works and transport, only exacerbate conflicts and war,

Considering that the commitment to respect human rights and to further the principles of freedom, justice, democracy, tolerance, solidarity, cooperation, pluralism, cultural diversity, dialogue and understanding at all levels of society and between nations in a national and international environment conducive to peace can curb and keep in check war crimes, crimes against humanity, genocide and terrorism,

Recalling that current events and world crises have proven that respect for human rights and the implementation of the rules of international humanitarian law are sometimes the subject of an oversimplification and of double standards, which confirms that the credibility of human rights and international humanitarian law depends not on their universality as theoretical legal principles contained in human rights instruments, but rather on their effective implementation,

(Egypt)

OPERATIVE PART

Paragraph 1bis

Add a new paragraph, to read as follows:

1. *Strongly condemns* all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, including those in which States are directly or indirectly involved, which threaten friendly relations among peoples, endanger or take innocent lives, have a deleterious effect on international relations and may jeopardise the security and territorial integrity of States;

(Cuba)

Paragraph 1

Amend to read as follows:

1. *Strongly advises* all IPU Member Parliaments to assume, before their States and citizens, the responsibility for implementing and enforcing, through the enactment of national **legislation rules, in full accordance with international law**, the international **treaties agreements** that have been concluded to punish and prevent war crimes, crimes against humanity, genocide and terrorism;

(Belgium)

1. *Strongly advises* all IPU Member Parliaments to assume, before their States and citizens, **in conformity with their national legislations and the international obligations of States**, the responsibility for implementing and enforcing, through the enactment of national rules, the international agreements that have

been concluded to punish and prevent war crimes, crimes against humanity, genocide and terrorism;

(Cuba)

1. *Strongly advises* all IPU Member Parliaments to assume, before their States and citizens, the responsibility for ~~implementing and enforcing~~, **promoting the implementation and enforcement**, through the enactment of national rules, of the international agreements that have been concluded to punish and prevent war crimes, crimes against humanity, genocide and terrorism;

(Indonesia)

1. *Strongly advises* all IPU Member Parliaments to assume, before their States and citizens, the responsibility for implementing and enforcing, through the enactment of national ~~rules~~ **laws**, the international agreements that have been concluded to punish and prevent war crimes, crimes against humanity, genocide and terrorism;

(United Kingdom)

Paragraph 2

Amend to read as follows:

2. *Recommends* that through the inter-parliamentary activity of IPU Members, efforts be combined and experiences shared in order to develop the necessary mechanisms to pursue these objectives, and to avoid impunity for those individuals ~~organizations and totalitarian states that~~ **who** commit war crimes, crimes against humanity, genocide and terrorism;

(Canada)

2. *Recommends* that through the inter-parliamentary activity of IPU Members, efforts be combined and experiences shared in order to develop the necessary mechanisms to pursue these objectives, and to avoid impunity for those individuals, organisations and ~~totalitarian~~ States that commit war crimes, crimes against humanity, genocide and terrorism;

(China, United Kingdom)

2. *Recommends* that through the inter-parliamentary activity of IPU Members, efforts be combined and experiences shared in order to develop the necessary mechanisms to pursue these objectives, and to avoid impunity for those individuals, ~~organisations and totalitarian States~~ that commit war crimes, crimes against humanity, genocide and terrorism;

(India)

2. *Recommends* that through the inter-parliamentary activity of IPU Members, efforts be combined and experiences shared in order to develop the necessary mechanisms to pursue these objectives, and to avoid impunity for those individuals, organisations and ~~totalitarian~~ States that commit war crimes, crimes against humanity **and** genocide ~~and terrorism~~;

(Norway)

2. *Recommends* that through the inter-parliamentary activity of IPU Members, efforts be combined and experiences shared in order to develop the necessary mechanisms to pursue these objectives, and to avoid impunity for ~~these individuals, organisations and totalitarian States that commit~~ war crimes, crimes against humanity, genocide and terrorism;

(Romania)

Paragraph 2bis

Add a new paragraph, to read as follows:

Calls for recognition of the need to strengthen capacity-building assistance for countries which have the political will but lack the technical resources necessary to conclude and implement the 12 counter-terrorism conventions and protocols;

(Japan)

Paragraph 3

Amend to read as follows:

3. *Urges* Member Parliaments duly to codify, in line with international law, these abhorrent crimes in their domestic criminal law, and to establish the corresponding mechanisms to avoid impunity, **as well as the corresponding penalties reflecting the grave nature of these crimes, but excluding the death penalty;**

(Belgium)

3. ~~*Urges*~~ ***Recommends that*** Member Parliaments ~~duly to codify~~ **consider codifying**, in line with international law, these abhorrent crimes in their domestic criminal law, and establishing the corresponding penalties and mechanisms to avoid impunity;

(China)

3. ~~*Urges*~~ ***Recommends that*** Member Parliaments duly codify, in line with international law, these abhorrent crimes in their domestic criminal law, and to establish the corresponding penalties and mechanisms to avoid impunity;

(Indonesia)

3. *Urges* Member Parliaments duly to codify, ~~in line~~ **in accordance** with international law, **in particular international humanitarian law, human rights and refugee law**, these abhorrent crimes in their domestic criminal law, and to establish the corresponding penalties and mechanisms to avoid impunity;

(Switzerland)

Paragraph 3bis

Add a new paragraph, to read as follows:

Invites Member Parliaments to adopt legislation designed to promote cooperation between the international and national legal orders, and notably cooperation in the investigation and judicial fields, by promoting the exchange of information and evidence to ensure the prosecution of the perpetrators of crimes under the present resolution;

(Italy)

Paragraph 4

Amend to read as follows:

4. *Encourages* those States which have not yet done so to ratify and accede to the Rome Statute, and to ratify the Agreement on the Privileges and Immunities of the International Criminal Court and ~~invites~~ **reminds** all Member Parliaments **of their duty under international law** to pass domestic legislation in order to allow each country to **investigate these crimes, to prosecute their perpetrators and to cooperate with the ICC;**

(Belgium)

4. *Encourages* those States which have not yet done so to ratify ~~or and~~ accede to the Rome Statute and the Agreement on the Privileges and Immunities of the International Criminal Court and *invites* all Member Parliaments to pass domestic legislation in order to allow each country to cooperate with the ICC;

(Canada)

4. *Encourages* those States which have not yet done so to **consider ratifying or acceding to and accede to** the Rome Statute and ~~to ratify~~ the Agreement on the Privileges and Immunities of the International Criminal Court, and *invites* all Member Parliaments to pass domestic legislation in order to allow each country to cooperate with the ICC;

(Cuba)

4. ~~Encourages~~ **Invites** those States which have not yet done so to ratify and accede to the Rome Statute, and to ratify the Agreement on the Privileges and Immunities of the International Criminal Court, and ~~invites~~ **encourages** all Member Parliaments **whose States are parties to the Rome Statute** to pass domestic legislation in order to allow ~~them each country~~ to cooperate with the ICC;

(India)

4. *Encourages* those States which have not yet done so to ratify and accede to the Rome Statute, and to ratify the Agreement on the Privileges and Immunities of the International Criminal Court and *invites* all Member Parliaments **to develop specific actions to overcome political and legal obstacles to this process and** to pass domestic legislation in order to allow each country to cooperate with the ICC;

(Mexico)

4. *Encourages* those States which have not yet done so to ratify and accede to the Rome Statute, and to ratify the Agreement on the Privileges and Immunities of the International Criminal Court and ~~invites~~ **urges** all Member Parliaments to pass domestic legislation in order to allow each country to cooperate with the ICC;

(United Kingdom)

Paragraph 4bis

Add a new paragraph, to read as follows:

Encourages also the provision of technical assistance, where needed, to help States with the process of ratification and domestic implementation of the Rome Statute;

(Romania)

Paragraph 5

Amend to read as follows:

5. *Recommends* that all parliaments, including those of States which have not **yet** ratified the Rome Statute, **to** enact rules for the domestic implementation of its provisions, **in particular by defining the crimes in the Statute as crimes under their national law in accordance with international law and by entering into cooperation agreements with the International Criminal Court authorising national authorities to provide assistance to the Court, including the surrender of accused persons to the Court;**

(Belgium)

5. *Recommends* that all parliaments, including those of States which have not ratified **or acceded** to the Rome Statute, enact rules for the domestic implementation of its provisions;

(Canada)

5. *Recommends* that all parliaments, including those of States which have not ratified the Rome Statute, ~~enact~~ **consider enacting** rules for the domestic implementation of its provisions;

(China)

5. *Recommends* that all parliaments, including those of States which have not ratified the Rome Statute, **consider the possibility of** enacting rules for the domestic implementation of its provisions, **in conformity with their national legislations and the international obligations assumed by States;**

(Cuba)

5. *Recommends* that all parliaments, including those of States which have not ratified the Rome Statute, enact rules for the ~~domestic implementation of its provisions~~ **prevention and punishment of war crimes, crimes against humanity, genocide and terrorism;**

(India)

Paragraph 5bis

Add a new paragraph between operative paragraphs 5 and 6, to read as follows:

Recommends that all the parliaments of the States that have not ratified the Rome Statute engage, by all possible means, the broadest possible debate within and outside parliament on the issue of the International Criminal Court, with a view to the accession of the countries concerned to the Rome Statute.

(Gabon)

Paragraph 6

Amend to read as follows:

6. *Recommends* that all parliaments support and cooperate with the ICC and other competent bodies (such as national and international commissions for the investigation of crimes against humanity **as well as national and international courts**), and thus strengthen parliamentary action to eradicate war crimes, crimes against humanity, genocide and terrorism;

(Belgium)

6. *Recommends* that all parliaments ~~support and cooperate~~ **consider supporting and cooperating** with the ICC and other competent bodies (such as national and international commissions for the investigation of crimes against humanity), and thus strengthen parliamentary action to eradicate war crimes, crimes against humanity, genocide and terrorism;

(China)

6. *Recommends* that all parliaments support and cooperate with the ~~ICC and other~~ competent bodies **and, where appropriate, the ICC**, ~~(such as national and international commissions for the investigation of crimes against humanity)~~, and thus strengthen parliamentary action to eradicate war crimes, crimes against humanity, genocide and terrorism;

(Cuba)

6. ~~*Recommends that*~~ **Encourages** all parliaments **to** support and cooperate with the ~~ICC and other competent~~ **relevant** bodies ~~(such as national and international commissions for the investigation of crimes against humanity)~~, and **thus to** strengthen parliamentary action to eradicate war crimes, crimes against humanity, genocide and terrorism;

(India)

6. *Recommends* that all parliaments **of the States Parties to the ICC** support and cooperate with the ICC and other competent bodies (such as national and international commissions for the investigation of crimes against humanity), and thus strengthen parliamentary action to eradicate war crimes, crimes against humanity, genocide and terrorism;

(Indonesia)

6. *Recommends* that all parliaments support and cooperate with the ICC and other competent bodies (such as national and international commissions for the investigation of crimes against humanity), and thus strengthen parliamentary action to eradicate war crimes, crimes against humanity **and** genocide ~~and terrorism~~;

(Norway)

6. *Recommends* that all parliaments support and cooperate with the ICC and other competent bodies (such as national and international commissions for the investigation of crimes against humanity), and thus strengthen parliamentary action to eradicate war crimes, crimes against humanity, genocide and terrorism;

(United Kingdom)

Paragraph 7

Amend to read as follows:

7. *Recommends* that States specifically address the issue of war crimes, crimes against humanity and genocide committed before the entry into force of the Rome Statute **in a framework of justice and legality which are the necessary conditions to attain peace and the respect of human rights in each country and in the international community**;

(Mexico)

Paragraph 8

Amend to read as follows:

8. *Urges* Member Parliaments to reject bilateral agreements that would provide for immunity from **investigations and** prosecution for the nationals of any State;

(Belgium)

8. *Urges* Member Parliaments to reject bilateral agreements that would provide for immunity from prosecution **by the ICC or otherwise** for the nationals of any State;

(Canada)

8. *Urges* Member Parliaments to reject bilateral agreements that would provide for immunity from prosecution for the nationals of any State **who have committed war crimes, crimes against humanity, genocide and terrorism**;

(China)

8. *Urges* Member Parliaments to reject bilateral agreements that would provide for ~~immunity from prosecution for the nationals of any State~~ **impunity for war crimes, crimes against humanity and crimes of genocide**;

(Indonesia)

8. *Urges* Member Parliaments to reject, **in accordance with the principle contained in the Rome Statute which rejects impunity**, bilateral agreements that would provide for immunity from prosecution for the nationals of any State;

(Mexico)

8. *Urges* Member Parliaments to reject bilateral agreements that would provide ~~for immunity from prosecution for the nationals of any State~~ **which are not consistent with Article 98 of the Rome Statute** ;
(Romania)

8. *Urges* Member Parliaments to reject bilateral agreements that would ~~provide for immunity from prosecution for the nationals of any State~~ **be inconsistent with States parties' legal obligations under the Rome Statute** ;
(United Kingdom)

Paragraph 8bis

Add a new paragraph, to read as follows:

***Recommends* that all parliaments urge their respective governments to intensify efforts to come to a global agreement on terrorism, expressing the common awareness of States of the threat of international terrorism and providing a precise definition of the nature and actual features of this phenomenon, so as to combat it more effectively;**
(Italy)

***Calls on* parliaments to consider ratifying, if they have not yet done so, the 12 multilateral treaties on terrorism and the relevant regional instruments, to incorporate their provisions into domestic legislation and to see to it that they are duly implemented;**
(Romania)

Paragraph 9

Amend to read as follows:

9. *Recommends* that all parliaments enact legislation to create civil procedures that would provide **for full reparation for victims of** ~~compensation for~~ war crimes, crimes against humanity, genocide and terrorism offences, **in accordance with international law and the principles thereof, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition** ;
(Belgium)

9. *Recommends* that all parliaments enact legislation, **in line with international law**, to create civil procedures that would provide compensation for war crimes, crimes against humanity, genocide and terrorism offences;
(China)

9. *Recommends* that all parliaments enact legislation **to protect victims and** to create civil procedures that would provide compensation for war crimes, crimes against humanity, genocide and terrorism offences;
(Mexico)

9. *Recommends* that all parliaments enact legislation to create civil procedures that would provide compensation for war crimes, crimes against humanity **and** genocide ~~and terrorism~~ offences;

(Norway)

9. *Recommends* that all parliaments enact legislation to create civil procedures that would provide compensation ~~for~~ **to victims of** war crimes, crimes against humanity, genocide and terrorism offences;

(Sweden)

Paragraph 9bis

Add a new paragraph, to read as follows:

***Recommends also* that parliaments support the dissemination of the values, principles and provisions of the Rome Statute and related instruments, and an understanding of the functioning of the ICC;**

(Romania)

Paragraph 10

Delete the paragraph:

- ~~10. *Encourages* parliaments to make the fullest possible use of their competences and roles to achieve these objectives;~~

(Sweden)

Paragraph 10

Amend to read as follows:

10. *Encourages* parliaments to make the fullest possible use of their competences and roles to achieve these objectives, **including the inalienable right to know the truth about past events concerning the perpetration of heinous crimes and about the circumstances and reasons that led, through massive or systematic violations of human rights, to the perpetration of those crimes;**

(Belgium)

10. *Encourages* parliaments to make the fullest possible use of their competences and roles to achieve these objectives **and to communicate to the citizens of our respective countries these objectives, so as to nurture an international conscience that contributes to preventing new crimes;**

(Mexico)

Paragraph 11

Amend to read as follows:

11. *Recommends* that parliaments take account of international **declarations and conventions** ~~agreements~~ on these subjects and of the considerations of the

United Nations, the ICC and all related international or regional agencies, authorities and bodies;

(Belgium)

Paragraph 12

Amend to read as follows:

12. *Invites* parliaments to ~~include in their agendas, as a priority, the activities required~~ **continue to work** to implement ~~all~~ **appropriate** mechanisms which may contribute to the prosecution of war crimes, crimes against humanity, genocide and terrorism, including the strengthening of rule of law mechanisms, so as to avoid impunity for these crimes and to ensure the rights of the victims of such crimes to just reparation;

(Cuba)

12. *Invites* parliaments to include in their agendas, as a priority, the activities required to implement all mechanisms which may contribute to the prosecution of war crimes, crimes against humanity **and** genocide ~~and terrorism~~, including the strengthening of rule of law mechanisms, so as to avoid impunity for these crimes and to ensure the rights of the victims of such crimes to just reparation;

(Norway)

12. *Invites* parliaments to include in their agendas, as a priority, ~~the activities~~ **measures** required **by the executive branch** to implement all mechanisms which may contribute to the prosecution of war crimes, crimes against humanity, genocide and terrorism, including the strengthening of rule of law mechanisms, so as to avoid impunity for these crimes, and **calls for the judiciary** to ensure **that** the rights of the victims of such crimes to just reparation **are observed**;

(Philippines)

Paragraph 12bis

Add a new paragraph, to read as follows:

Calls for the strengthening of the exchange of information and of law enforcement cooperation in respect of the activities of terrorists and terrorist organisations, including through extradition and mutual assistance in criminal matters, to bring terrorists to justice;

(Japan)

Paragraph 13

Amend to read as follows:

13. *Invites* the United Nations and parliaments to consider **contributing to the International Criminal Court Trust Fund for Victims and to consider** the establishment of a fund for the compensation of victims of crimes of genocide, ~~and~~ crimes against humanity, **war crimes and terrorism not addressed by this Trust Fund.**

(Belgium)

13. *Invites* the United Nations and parliaments to **promote voluntary contributions to the ICC Trust Fund for Victims**; ~~consider the establishment of a fund for the compensation of victims of crimes of genocide and crimes against humanity;~~
(Canada)
13. *Invites* ~~the United Nations and parliaments to consider the establishment of a fund for the compensation of victims of crimes of genocide and crimes against humanity~~ **to contribute to the funding of the Victims Trust Fund of the ICC that has been established to compensate victims of genocide, crimes against humanity and war crimes.**
(Germany)
13. *Invites* the United Nations and parliaments ~~to consider the establishment of a fund for the compensation of~~ **to adopt in their respective spheres of competence the appropriate measures to support the enactment of the compensation fund, as considered in the Rome Statute, for the** victims of crimes of genocide and crimes against humanity.
(Mexico)
13. *Invites* the United Nations and ~~parliaments~~ **governments** to consider the establishment of a fund for the compensation of victims of crimes of genocide and crimes against humanity.
(Sweden)

Add new paragraphs, to read as follows:

***Invites* the international community, peoples and governments to respect fully the principles of sovereignty and the territorial integrity of all States, in accordance with the United Nations Charter and international law, and to stem the proliferation of wars and armed conflicts that take the lives of thousands of innocent victims;**

***Invites* all regional and international governmental and parliamentary organisations, as well as all civil society organisations, including parties, interest groups, trade unions and non-governmental organisations, to disseminate the culture of peace, fraternity and tolerance within and between communities and to reject violence and conflicts, which cause the death of thousands of civilians and which compound the economic and political problems of the entire world;**

***Calls upon* the great powers that have not yet done so to ratify the Rome Statute and to accede without delay to the International Criminal Court, so as to avoid being left behind in this field by the international community, and to avoid any exception or discrimination in the prosecution of the perpetrators of war crimes, crimes against humanity and genocide, and *invites* the great powers to assume their essential responsibility for maintaining international peace and security and for prosecuting the perpetrators of war crimes, crimes against humanity and genocide, as well as terrorists, without discrimination or double standards;**

Requests parliamentarians to seek innovative mechanisms for the prosecution of perpetrators of war crimes, crimes against humanity and genocide and of terrorists, and *invites* them to adopt new legislation in conformity with the rules of international humanitarian law and the Rome Statute, and to this end to coordinate their efforts with their respective governments;

Calls for the enhancement of the role of marginalised groups, in particular women and children, in the dissemination of the culture of peace, tolerance and non-violence and the rejection of fanaticism and hatred, as women constitute half of society and are the cornerstone of the values of fraternity and tolerance, and women and children are the groups most affected by these crimes, and *welcomes* in this context the initiatives taken, and the associations working to realise this objective, including the Suzanne Mubarak Women's International Peace Movement.

(Egypt)